

Attachment to Independent Case Review Report
For CDRU # 846 Case file # 95-289507.

Material Examiner Malone (RO)

Remarks:

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: STEVE ROBERTSON

Area(s) of Expertise: HAIR AND FIBERS

Review commenced at: 10:30A (Time), 9/14/99 (Date)

File #: 95-289507

Laboratory #(s): 90817016

90821070

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<u>YC</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: MICHAEL MAWNE

Testimony Date(s): UNKNOWN Pages: 322-358

Laboratory Report(s):

Laboratory Number: 90817016 90821070 Date: DEC 13, 1989

Laboratory Number: _____ Date: _____

Laboratory Number: _____ Date: _____

Examiner Bench Notes of: RQ AND UNKNOWN TECHNICIAN

Laboratory Number: 90817016

Laboratory Number: 90821070

Laboratory Number: _____

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Initials: SR

CRM - 14286

Was any other material reviewed? Yes No

If yes, please identify and/or describe the material: SUBMITTING AGENCY LETTERS DATED

AUG 14 AND AUG 17, 1989.

Results of Review

File #: 95-289507 Item or Specimen # Reviewed: Q8-Q35, Q44,
K3, K4

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
 Yes No Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
 Yes No Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- Transcript not available.
- 3) Testimony consistent with the laboratory report(s)? Yes No Unable to Determine
 - 4) Testimony consistent with the bench notes? Yes No Unable to Determine
 - 5) Testimony within bounds of examiner's expertise? Yes No Unable to Determine

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Initials SMA

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

#1. THE DOCUMENTATION IS INSUFFICIENT TO DETERMINE IF THE TESTS WERE PERFORMED IN A SCIENTIFICALLY ACCEPTABLE MANNER.

#2. THE RESULTS ARE NOT ADEQUATELY DOCUMENTED IN THE NOTES. THE NOTES ARE NOT DATED, SOME ARE IN PENCIL AND DO NOT INDICATE THE NUMBER OF HAIR RECOVERED OR AVAILABLE FOR COMPARISON. THE TECHNICIAN DOES NOT DOCUMENT THAT HAIR WAS RECOVERED FROM THE Q ITEMS.

CONFIRMATION OF THE HAIR COMPARISON WAS APPARENTLY OBTAINED FROM ANOTHER QUALIFIED (?) EXAMINER, BUT THE CONFIRMATION SHEET DOES NOT SPECIFY WHICH 2 SPECIMENS WERE EXAMINED, WHEN THEY WERE EXAMINED OR IF THE

Review completed at: 12:00 P (Time), 9/14/99 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1 1/2 hours

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Steve Roberts
(Signature)

9-14-99
(Date)

Additional Comments
(Set forth by question #, if applicable)

File #: 95-289507

SECOND EXAMINER AGREED WITH THE COMPARISON.

NO DOCUMENTATION COULD BE FOUND IN THE FILE
CONCERNING THE DISCONTINUANCE OF LAB EXAMINATIONS
ON THE BLOOD/SEMEN OR LATENT PRINT EVIDENCE AS
REPORTED IN THE LAB REPORT

#5. MALONE TESTIFIED THAT, BASED ON HIS EXPERIENCE, THERE IS
ONLY A 1 IN 5,000 CHANCE THAT THE Q19 HAIR COULD BE
SOMEBODY ELSE'S BESIDES THE VICTIM (p. 345). THE DEFENSE
PROPERLY OBJECTED AND THE COURT SUSTAINED.